

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF COUNTY COMMISSIONERS  
AGENDA MEMORANDUM**

**SUBJECT:** Center Drive (1910) – Rezone from A-1 (Agriculture) to R-1A (Single-Family Dwelling)

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Benjamin Dunn EXT. 7440

**Agenda Date:** 8/22/06 Regular ☐ Consent ☐ Work Session ☐ Briefing ☐  
Public Hearing – 1:30 ☒ Public Hearing – 7:00 ☐

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request to rezone 6.66 ± acres, located on the south side of Center Drive, east of Sunset Road, from A-1 (Agriculture) to R-1A (Single-Family Dwelling), based on staff findings, (John Sadri, applicant); or
2. **DENY** the request to rezone 6.66 ± acres, located on the south side of Center Drive, east of Sunset Road, from A-1 (Agriculture) to R-1A (Single-Family Dwelling), based on staff findings, (John Sadri, applicant); or
3. **CONTINUE** the item to a time and date certain.

District #2 – Comm. Morris

Benjamin Dunn, Sr. Planner

**BACKGROUND:**

The applicant is requesting to rezone 6.66 ± acres, located on the south side of Center Drive, east of Sunset Road, from A-1 (Agriculture) to R-1A (Single-Family Dwelling). R-1A (Single-Family Dwelling) requires a minimum lot size of 9,000 sq. ft. The Future Land Use Designation of the subject property is Low Density Residential (LDR), which permits the requested zoning district.

The Seminole County Land Development Code (LDC) requires the application of the Weighted Method for Determining Single-Family Residential Compatibility in the Low Density Residential future land use designation. Staff conducted the lot size compatibility analysis, as required by Section 30.1380.3 of the Land Development Code and Policy FLU 2.10 of the Vision

Reviewed by: KTF  
Co Atty: \_\_\_\_\_  
DFS: \_\_\_\_\_  
OTHER: AD  
DCM: AD  
CM: AD  
File No. ph130pdp03

2020 Comprehensive Plan, and determined that the analysis does support the requested rezone to R-1A. To the east of the site are two subdivisions with an R-1A zoning district. North of the subject site there is R-1A zoning. To the south of the subject site is the Deer Run PUD that is consistent with R-1A zoning, which allows 9,000 sq. ft. minimum lot sizes.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request to rezone 6.66 ± acres, located on the south side of Center Drive, east of Sunset Road, from A-1 (Agriculture) to R-1A (Single-Family Dwelling).

**PLANNING AND ZONING BOARD RECOMMENDATION:**

The Planning and Zoning Board met on July 12, 2006 and voted 6-0 to recommend APPROVAL of the request to rezone 6.66 ± acres, located on the south side of Center Drive east of Sunset Road, from A-1 (Agriculture) to R-1A (Single-Family Dwelling), based on staff findings.

**Attachments:**

Staff Report  
Location Map  
Zoning & Future Land Use Map  
Aerial Map  
Rezone Ordinance  
School District Capacity Analysis  
7-12-06 Planning & Zoning Board Minutes

# Center Drive Rezone

## Rezone from A-1 to R-1A

<b>APPLICANT</b>	John Sadri	
<b>PROPERTY OWNER</b>	John Sadri	
<b>REQUEST</b>	Rezone from A-1 (Agriculture) to R-1A (Single-Family Dwelling)	
<b>PROPERTY SIZE</b>	6.66 ± acres	
<b>HEARING DATE (S)</b>	P&Z: July 12, 2006	BCC: August 22, 2006
<b>PARCEL ID</b>	10-21-30-5BQ-0000-0410	
<b>LOCATION</b>	South side of Center Drive east of Sunset Road	
<b>FUTURE LAND USE</b>	LDR (Low Density Residential)	
<b>ZONING</b>	A-1 (Agriculture)	
<b>FILE NUMBER</b>	Z2006-30	
<b>COMMISSION DISTRICT</b>	#2 – Morris	

### Proposed Development:

The applicant is proposing to develop a single-family subdivision.

### ANALYSIS OVERVIEW:

#### **ZONING REQUEST**

The applicant is requesting to rezone 6.66 ± acres, located on south side of Center Drive, east of Sunset Road, from A-1 (Agriculture) to R-1A (Single-Family Dwelling). R-1A (Single-Family Dwelling) requires a minimum lot size of 9,000 sq. ft. The Future Land Use Designation of the subject property is Low Density Residential (LDR), which permits the requested zoning district.

The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested zoning district of R-1A (Single-Family).

<b>DISTRICT REGULATIONS</b>	<b>Existing Zoning (A-1)</b>	<b>Proposed Zoning (R-1A)</b>
Minimum Lot Size	43,560 square feet	9,000 square feet
Minimum House Size	N/A	1,100 square feet
Minimum Width at Building Line	150 feet	75 feet
Front Yard Setback	50 feet	25 feet
Side Yard Setback	10 feet	7.5 feet
(Street) Side Yard Setback	50 feet	25 feet
Rear Yard Setback	30 feet	30 feet
Maximum Building Height	35 feet	35 feet

### **PERMITTED & SPECIAL EXCEPTION USES:**

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Uses	A-1 (existing)	R-1A (proposed)
Permitted Uses	Single-family detached, agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Single-Family dwelling units, Community residential homes (group homes and foster care facilities), public and private elementary schools, and home office.
Special Exception Uses	Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.	Churches with attendant educational and recreational buildings, public and private middle and high schools, parks, public utility and service structures, guest cottages, subdivision sewage treatment and water plants, assisted living facilities, and communication towers.
Minimum Lot Size	1 Acre	9,000 sq. ft.

#### COMPATIBILITY WITH SURROUNDING PROPERTIES:

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

	(North)			
	<b>LDR</b> Agricultural <i>A-1</i> (1 ± acre lots)	<b>LDR</b> Single-Family <i>R-1A</i> (9,000 sq. ft. lots)	<b>LDR</b> Single-Family <i>R-1A</i> (1 ± acre lots)	
(West)	<b>LDR</b> Single-Family <i>A-1</i> (1 ± acre lots)	<b>LDR</b> Single-Family <i>A-1</i>	<b>LDR</b> Single-Family <i>R-1A</i> 10,000 ± sq. ft. lots	(East)
	<b>PD (Deer Run)</b> Single-Family <i>PUD</i> (9,000 ± sq. ft. lots)	<b>PD (Deer Run)</b> Single-Family <i>PUD</i> (9,000 ± sq. ft. lots)	<b>PD (Deer Run)</b> Single-Family <i>PUD</i> (9,000 ± sq. ft. lots)	
	(South)			

**Example:**

<b>Future Land Use</b>
Existing Use
Existing Zoning
(Lot Sizes)

\* **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

The Land Development Code requires the application of the Weighted Method for determining single-family residential compatibility within the LDR Future Land Use designation. Staff conducted the lot size compatibility analysis, as required by Section 30.1380.3 of the Land Development Code and Policy FLU 2.10 of the Vision 2020 Comprehensive Plan, and determined that the analysis does support the requested rezone to R-1A.

The calculations assign differing weights to the surrounding zoning districts according to permitted development intensities within those districts. For example, the R-1A district requires a minimum lot size of 9,000 square feet, so its weight factor is 8, while A-1 requires one-acre lots and has a weight factor of 4. A-1 zoned properties in proximity to a proposed rezoning receive a base weight of 4, but additional points can be assigned if water, sewer, and paved roads are available, up to a maximum weight of 7. Weighting factors, together with the acreage of parcels within a 660-foot radius of the subject property, determine the “compatible” zoning for the subject property.

After running the lot size compatibility analysis for the proposed 6.66 ± acre rezone request to R-1A, the results from the analysis identified a weight result of 7.93, which is consistent with the zoning district of R-1A.

## **SITE ANALYSIS:**

## **ENVIRONMENTAL IMPACTS:**

### *Floodplain Impacts:*

Based on FIRM map number 12117C0145E, the southern half of the site (3 ± acres) is depicted as floodzone "A". A copy of the completed FEMA LOMC (letter of map change) application and verification of submission to FEMA will be required prior to final engineering approval.

### *Wetland Impacts:*

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on site.

### *Endangered and Threatened Wildlife:*

Based on a preliminary analysis, there are no endangered and threatened wildlife on the subject property. A Threatened and Endangered (T&E) Study along with a species of special concern survey will be required prior to final engineering approval.

### **PUBLIC FACILITY IMPACTS:**

Rule 9J-5.0055(3)(c)1-2, Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time and therefore, has submitted an Affidavit of Concurrency Review Deferral. The applicant is required to undergo Concurrency Review prior to subdivision approval.

The following table depicts the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)	Proposed Development (R-1A)*	Net Impact
Water (GPD)	1,750	8,750	7,000
Sewer (GPD)	1,500	7,500	6,000
Traffic (ADT)	48	239	191

\* The Proposed Development is calculated on 20% of the property being dedicated for roads and retention and the proposed lot sizes of 9,000 square feet, for a total of 25 lots.

### *Utilities:*

The site is located in the Seminole County Southeast Utility Service Area and will be required to connect to public utilities. There is an 8-inch water main approximately 100 feet to the east of the subject site on Center Drive and an 8-inch gravity sewer line connected to a manhole approximately 100 feet to the east on Center Drive. This project is located within the ten year master plan for reclaimed water, therefore, an irrigation system must be connected to reclaimed water when it becomes available.

### *Transportation / Traffic:*

The property access is from Center Drive, which is classified as a local roadway. Center Drive is not currently programmed to be improved according to the County 5-

year Capital Improvement Program. The applicant may be required to dedicate, at a minimum, 30' half (5' additional) right-of-way along the property frontage on Center Drive.

#### *School Impacts:*

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately 12 school age children. This subject site is currently zoned for and will affect the following schools:

<b>Schools Impacted</b>	<b>*Existing Impact</b>	<b>**Proposed Impact</b>	<b>Current Capacity</b>	<b>05/06 Enrollment</b>	<b>Percent Capacity</b>
Sterling Park Elementary	1	6	501	665	133
South Seminole Middle	1	3	1310	1197	91
Lake Howell High	1	3	2487	2181	88

\* Based on existing zoning

\*\* Based on R-1A Zoning

The Seminole County Public School District has prepared an analysis regarding impacts resulting from recently platted residential developments that are zoned for the same schools as the subject property, but are not yet included in the school capacity numbers in the previous table. This analysis is included as an attachment to this report.

#### *Public Safety:*

The nearest response unit to the subject property is Station # 26, which is located at 1126 East SR 434. The County Level-Of-Service standard for response time is an average of 5 minutes per Policy PUB 2.1 of the Comprehensive Plan. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is less than 5 minutes.

#### *Drainage:*

The site is within the Little Lake Howell Drainage Basin. Based on preliminary review, it appears the site may be part of a landlocked basin and may be required to retain the total 100 year/24 hour storm event onsite. A detailed drainage analysis will be required at final engineering.

#### *Parks, Recreation and Open Space:*

The applicant is required to provide at a minimum 25% of the site in open space, per Section 30.1344 (Open Space Ratios and Design Guidelines) of the Seminole County Land Development Code.

#### *Buffers and Sidewalks:*

Because this is a proposed residential project adjacent to both residential and agricultural zoning and Future Land Use Designations, no exterior buffers are required. Per the Seminole County Land Development Code, the applicant will have to construct a sidewalk along their property frontage on Center Drive and on both sides of any internal roadways.

**APPLICABLE POLICIES:****FISCAL IMPACT ANALYSIS:**

This project does not warrant running the County Fiscal Impact Analysis Model.

**SPECIAL DISTRICTS:**

The subject property is not located within any special district or overlay.

**COMPREHENSIVE PLAN (VISION 2020):**

The following policies are applicable with the proposed project:

Policy FLU 2.5: Transitional Land Uses  
Policy POT 4.5: Potable Water Connection  
Policy SAN 4.4: Sanitary Sewer Connection  
Policy PUB 2.1: Public Safety Level-of-Service

**INTERGOVERNMENTAL NOTIFICATION:**

An intergovernmental notice was sent to the Seminole County School Board on June 8, 2006.

An intergovernmental notice was sent to the City of Casselberry on June 23, 2006.

**LETTERS OF SUPPORT OR OPPOSITION:**

At this time, Staff has received no letters of support or opposition.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request to rezone 6.66 ± acres, located on the south side of Center Drive east of Sunset Road, from A-1 (Agriculture) to R-1A (Single-Family Dwelling).

**PLANNING AND ZONING BOARD RECOMMENDATION:**

The Planning and Zoning Board met on July 12, 2006 and voted 6-0 to recommend APPROVAL of the request to rezone 6.66 ± acres, located on the south side of Center Drive east of Sunset Road, from A-1 (Agriculture) to R-1A (Single-Family Dwelling), based on staff findings.



**AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) DISTRICT THE R-1A (SINGLE-FAMILY DWELLING) DISTRICT ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR EXCLUSION FROM CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:**

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Center Drive Rezone to R-1A."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONINGS.** The zoning classification assigned to the following described property is changed from A-1 (Agriculture) district to R-1A (Single-Family Dwelling) district.

**SEE ATTACHED EXHIBIT A**

**Section 3. EXCLUSION FROM CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this ordinance shall not be codified.

**Section 4. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this

Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 5. EFFECTIVE DATE.** A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on upon filing with the Department of State.

ENACTED this 22nd day of August 2006.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Carlton D. Henley  
Chairman

**EXHIBIT A**  
**LEGAL DESCRIPTION**

LEG E 2/3 OF LOT 41 WATTS FARMS PB 6 PG 80.



## SEMINOLE COUNTY PUBLIC SCHOOLS School Capacity Report

**To:** Seminole County Board of County Commissioners

**From:** George Kosmac, Deputy Superintendent, Seminole County Public Schools

**Date:** July 05, 2006

**RE. Z2006-30 Center Drive Rezone**

**Description** – 6.66 ± acres; Rezone from A-1 (Agriculture District) to R-1A (Single-Family Residential District); located on the south side of Center Drive, 500 feet east of Sunset Road

Seminole County Public Schools (SCPS), in reviewing the above rezone request, has determined that if approved the new zoning designation would have the effect of increasing residential density, and as a result generate additional school age children.

Based on information received from Seminole County Planning and from the staff report for the Center Drive rezone request, SCPS staff has summarized the potential school enrollment impacts in the following tables:

Total Proposed units					
Total # of Units		# of Single-Family Lots		# of Multi-Family Units	
26		26		0	
Student Generation					
Impacted Schools	Projected Number of Additional Students	Current Capacity	Current Enrollment	Percent Utilization	Students Resulting from Recently Approved Developments
Elementary Sterling Park	7	501	665	132.7	40
Middle South Seminole	3	1179	1197	91.4	29
High Lake Howell	3	2363	2181	95.9	17

**Projected Number of Additional Students** is determined by applying the current SCPS student generation rate (calculated by using US Census data analysis) to the number and type of units proposed.

**Current Capacity** is based on the current enrollment FTE date not including relocatable stations.

**Current Enrollment** is based on the most recent official FTE count (February).

**Percent Utilization** is the ratio of enrollment to total permanent building student stations.

**Students Resulting from Recently Approved Developments** is a summary of students generated from developments approved and platted since January 2005. Student enrollment changes due to existing housing are excluded from these totals.

**Comments:**

The students generated at the Middle and High school level resulting from the proposed development would at this point be able to be absorbed into the zoned schools without adverse affect. However, the students generated from the new residential dwelling units could not be absorbed into the Elementary school without the increased use of relocatable student stations (portables) or significant reduction in level of service at the affected campus. There are 250 planned student stations expansions/additions in the current five-year capital plan (2009/2010 availability) that would provide additional student capacity to relieve Sterling Park Elementary.

**MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/  
PLANNING & ZONING COMMISSION  
JULY 12, 2006**

**Members present:** Rob Wolf, Matt Brown, Beth Hattaway, Ben Tucker, Walt Eismann, and Jason Brodeur

**Absent:** Dudley Bates

**Also present:** Tony Walter, Planning Manager; Tina Williamson, Principal Coordinator; Candace Lindlaw-Hudson, Senior Staff Assistant; Ben Dunn, Senior Planner; Michael Rumer, Senior Planner; Ian Sikonia, Planner; Sheryl Stolzenberg, Principal Coordinator; Jeffrey Hopper, Senior Planner; and Dick Boyer, Senior Planner and Kathleen Furey-Tran, Assistant County Attorney.

**Center Drive Rezone; John Sadri, applicant;** 6.66 ± acres; Rezone from A-1 (Agriculture District) to R-1A (Single-Family Residential District); located on the south side of Center Drive, 500 feet east of Sunset Road.  
(Z2006-30)

Commissioner Morris – District 2  
Benjamin Dunn, Senior Planner

Benjamin Dunn introduced the application for a rezone to Single Family Residential zoning district R-1A, saying that the lot compatibility analysis within the area showed that the requested zoning was compatible. Staff recommendation is for approval.

John Sadri said that he had lived in the area for two years and would be building an upscale community. His request would be consistent with the area.

Steve Shay of Civil Site Engineering said that he would be addressing any outstanding site engineering issues.

Dennis Fontaine said that he lives on the property adjacent to the site on South Drive. That is a private road. He wanted to know if South Drive would be vacated. He wanted greenspace preserved and a 50-foot buffer.

Dr. Harry Thomas is a neighbor of the site for over 20 years. He stated that there were many horses in the area. One cannot ride horses on Center Drive anymore. Cars race to Brookwood nearby. He has a 900-foot chain link fence along the property line. He has a problem with water. The nearby pond flows up to the northeast and during a rainstorm he gets standing water in his front yard.

Julio Batista lives on South Drive and is concerned with flooding on his property.

Steve Shay said that the right of way on South Drive will be vacated. It is a greenbelt right now. A greenbelt which is part of Sterling Park is shown on the plat now. A stormwater pond may be in the south end of the project. Stormwater will be engineered. Homeowners may put up stockade fences along the property line in the future.

Commissioner Tucker asked about the vacating of the right of way.

Tony Walter said that he did not have information on that matter.

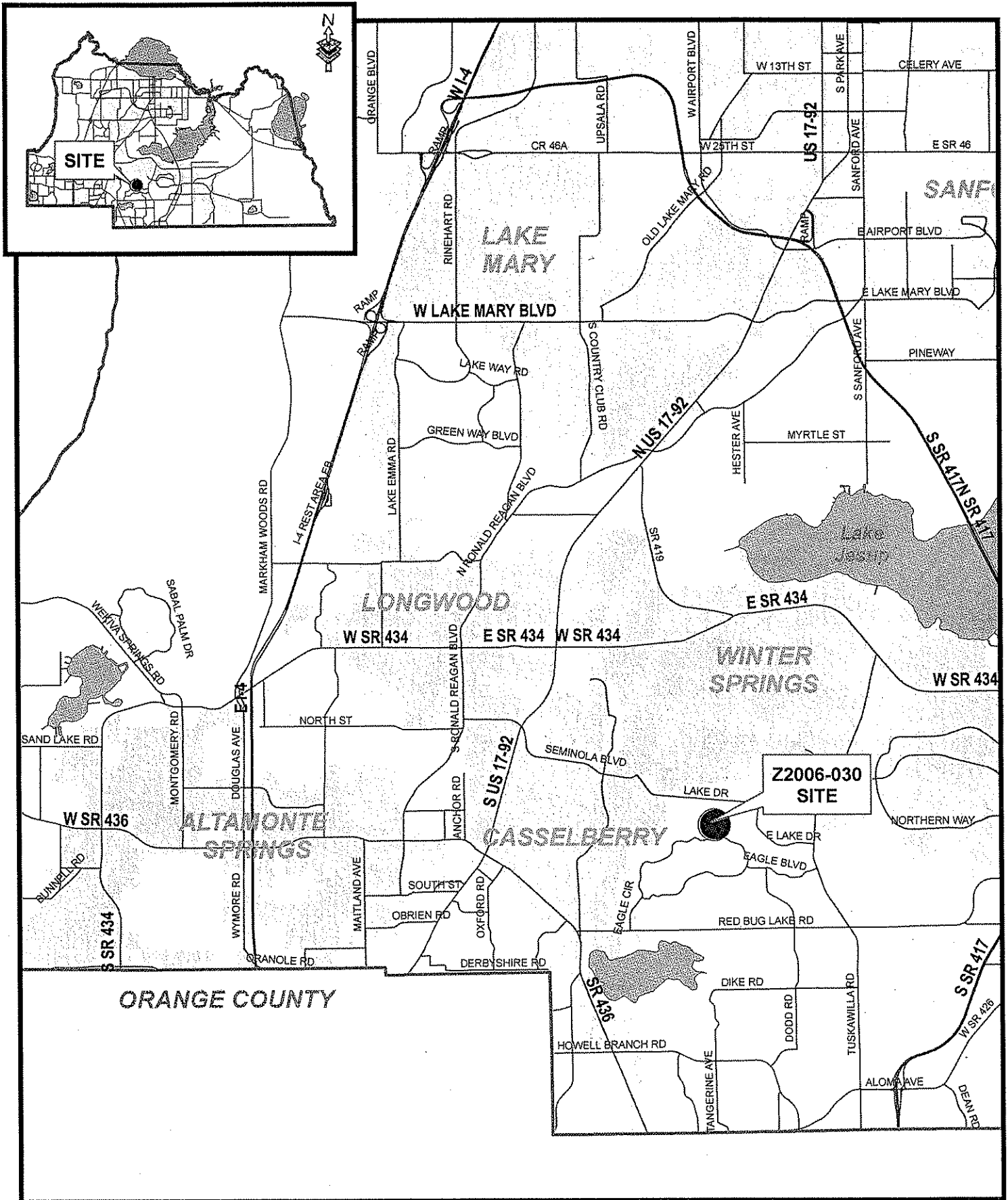
Commissioner Brodeur asked about the water retention.

Benjamin Dunn said that the site will be analyzed and engineered for proper water retention according to code.

**Commissioner Brodeur made a motion to recommend approval of the request.**

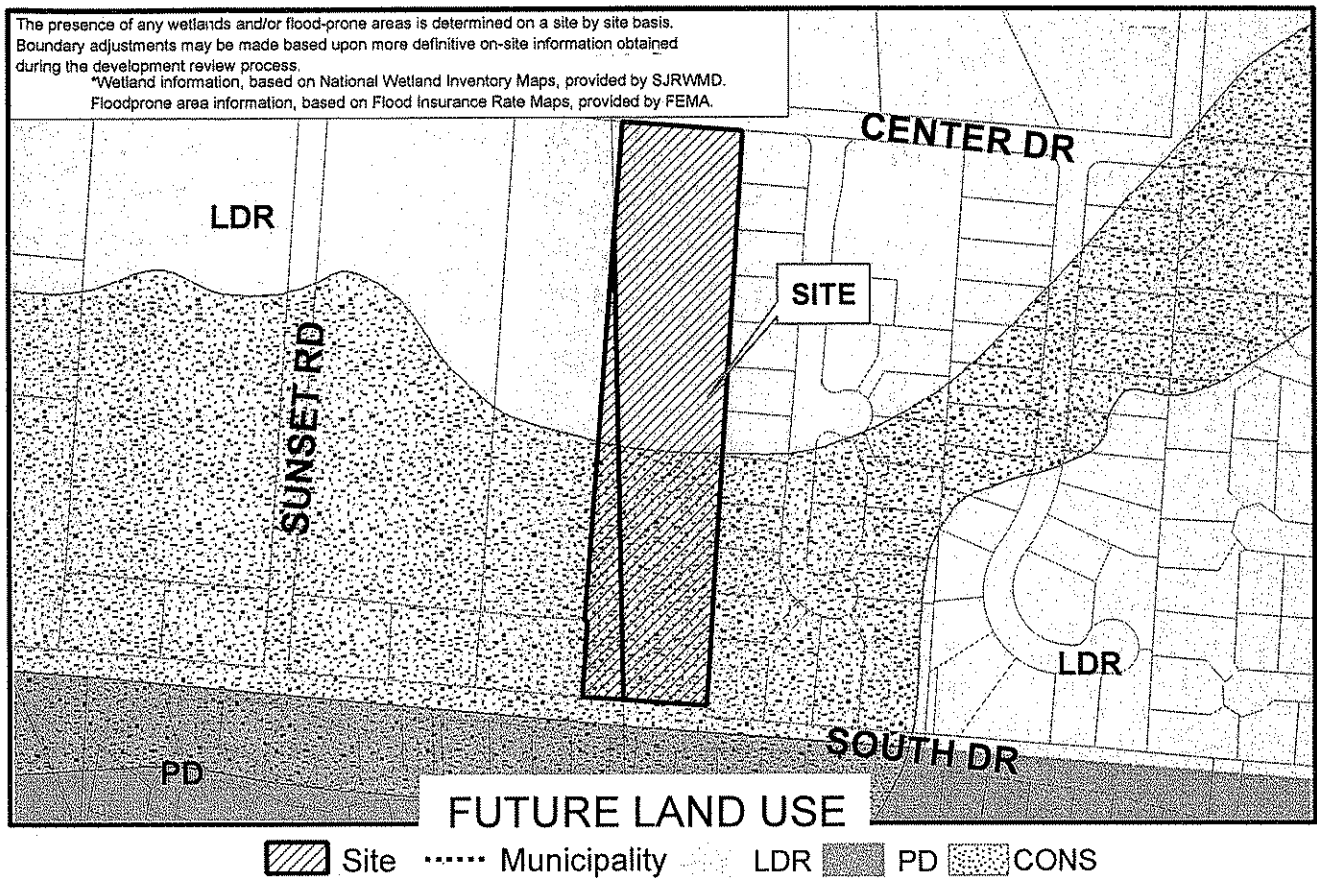
**Commissioner Brown seconded the motion.**

**The motion passed 6 – 0.**



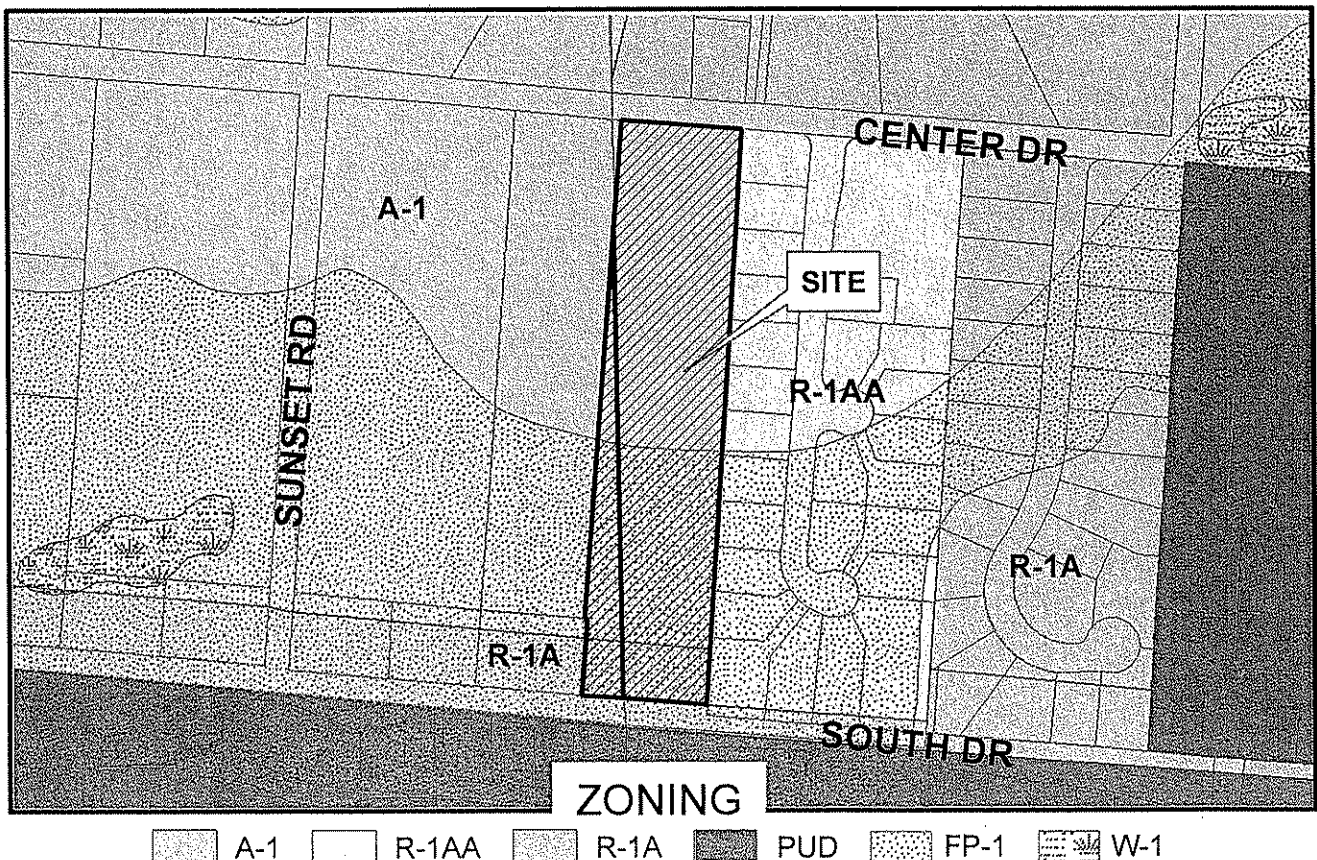


The presence of any wetlands and/or flood-prone areas is determined on a site by site basis.  
Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
\*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.





Applicant: John Sadri  
Physical STR: 10-21-30-5BQ-0000-0410  
Gross Acres: 5.69 acres +/- BCC District: 2  
Existing Use: SFR  
Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2006-030	A-1/R-1A	R-1A





Rezone No: Z2006-030  
From: A-1 & R-1A To: R-1A

-  Parcel
-  Subject Property



January 2004 Color Aerials